

ORDINANCE NO. _____

AN ORDINANCE amending Title 27 of the Lincoln Municipal Code by adding a new section numbered 27.17.090 to require new construction in the R-4 Residential District to comply with the Neighborhood Design Standards; by repealing Chapter 27.18 (R-C Residential Conservation District) in its entirety; by amending Section 27.19.080 to amend Table 27.19.080(a) to provide uniform minimum lot requirements for multi-family dwellings, to amend the required amount of open space for each additional dwelling unit beyond one, to allow patios but not balconies to be counted as open space; by adding a new section numbered 27.19.090 to require new construction in the R-5 Residential District to comply with Neighborhood Design Standards; by amending Section 27.21.080 to amend Table 27.21.080(a) to modify the minimum lot requirements for multiple family dwellings to provide uniform minimum lot requirements, to amend the required amount of open space for each additional dwelling unit beyond one, to allow patios but not balconies to be counted as open space, to allow the front yard to be counted toward the open space requirement under specified conditions, and to eliminate a lot density exception for lots existing on the effective date of this title; by adding a new section numbered 27.21.090 to require new construction in the R-6 Residential District to comply with the Neighborhood Design Standards; by amending Section 27.23.080 to amend Table 27.23.080(a) to provide for uniform minimum lot requirements for multiple family dwellings to amend the required amount of open space for each additional dwelling unit beyond one, to allow patios but not balconies to be counted as open space, and to allow the front yard to be counted toward the open space requirement under specified conditions, to eliminate a lot density exception for lots existing on the effective date of this title; by adding a new section numbered 27.23.090 to require new construction in the R-7 Residential District to comply with the Neighborhood Design Standards; by amending Section 27.24.080 to modify Table 27.24.080(a) to provide uniform minimum lot requirements for multiple family dwellings, to amend the required amount of open space for each additional dwelling unit beyond one, to allow patios but not balconies to be counted as open space, to allow the front yard to be counted toward the open space requirement under specified conditions; by adding a new section numbered 27.24.090 to require new construction in the R-8 Residential District to comply with the Neighborhood Design Standards; by amending Chapter 27.71 to add a new section numbered 27.71.150 to allow up to 25% of the length of the principal street facade of a building to be constructed up to two feet in the required front yard for premises located in the R-4, R-5, R-6, R-7, and R-8

zoning districts and which were annexed into the City prior to January 31, 1949; and repealing Sections 27.19.080, 27.21.080, 27.23.080, and 27.24.080 of the Lincoln Municipal Code as hitherto existing.

BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

Section 1. That Chapter 27.17 of the Lincoln Municipal Code be amended by adding a new section numbered 27.17.090 to read as follows:

27.17.090 Neighborhood Design Standards.

Each application for a building permit for new construction of a principal building within this district shall comply with the neighborhood design standards.

Section 2. That Chapter 27.18 of the Lincoln Municipal Code be and the same is hereby repealed in its entirety.

27.18.010 Scope of Regulations.—

~~The regulations set forth in this chapter, or set forth elsewhere in this title when referred to in this chapter, are the district regulations in the R-C Residential Conservation District.~~

27.18.020 Intent.—

~~The R-C Residential Conservation District is a zoning overlay district intended to be applied to selected areas of the R-5, R-6, and R-7 residential districts in order to conserve areas which retain the character of earlier periods of development, to stabilize and improve property values in such areas, to encourage rehabilitation of existing housing, and to promote new construction that is compatible with the character of the area.~~

27.18.030 Designation of Residential Conservation District.—

~~(a) The following shall be the minimum standards for designation of an area as an R-C Residential Conservation District:~~

- ~~(1) District size shall be at least 90,000 square feet;~~
- ~~(2) Proposed districts shall be within the R-5, R-6 and R-7 Residential Districts;~~
- ~~(3) Within a proposed district, no more than fifty percent of the lots of record as of November 2, 1953, shall contain principal structures less than fifty years of age; ———~~

~~(4) An R-C Residential Conservation District shall not be designated if written protests are made by the record owners of over fifty percent of the included properties, excluding public right of way, at or prior to the public hearing on the designation.~~

~~(b) The City Council may designate an area meeting the minimum standards as an R-C Residential Conservation District after review and consideration of the following: ———~~

- ~~(1) The degree to which the area retains the general character and appearance of its original period of development; ———~~
- ~~(2) The extent to which the area evidences on-going maintenance of existing older buildings; ———~~

~~(3) The potential for rehabilitation of existing housing in the area; ———~~

~~(4) The degree to which the area needs redevelopment; ———~~

~~(5) The degree to which the area displays continuity, including both sides of facing blocks as much as possible. ———~~

~~(c) Before designating an area as an R-C Residential Conservation District, the City Council shall refer the proposal to the Planning Commission. The Planning Commission shall hold a public hearing upon such petition and make a report to the City Council. Said report shall contain the findings of the Commission regarding the effect of the proposed R-C Residential Conservation District upon the subject properties and upon the surrounding area and regarding its compliance with the comprehensive plan. After the recommendations and report of the Planning Commission have been filed, the City Council shall, before granting such designation, hold a public hearing as provided in Section 27.81.050.~~

27.18.040 Neighborhood Design Standards.—

~~The Planning Director shall develop written neighborhood design standards and submit them to the Planning Commission for recommendation, then to City Council for approval by resolution. When the neighborhood design standards have been approved, each application for a building permit for new construction of a principal building within areas designated by the City Council as R-C Residential Conservation District shall comply with those standards.~~

~~27.18.050 Use Regulations.—~~

~~Those uses allowed by right, condition, or special permit in the underlying zoning district shall apply in the R-C Residential Conservation District, subject to the requirements of the underlying district.~~

~~27.18.060 Accessory Uses.—~~

~~Accessory uses permitted in the R-C Residential Conservation District are accessory buildings and uses customarily incident to any of the permitted uses in the district unless modified by the neighborhood design standards.~~

~~27.18.070 Parking Regulations.—~~

~~All parking within the R-C Residential Conservation District shall be in conformance with the provisions of Chapter 27.67 unless modified by the neighborhood design standards.~~

~~27.18.075 Grading and Land Disturbance Regulations.~~

~~Grading and land disturbance within the R-C Residential Conservation District shall be regulated in conformance with the provisions of Chapter 27.81.~~

~~27.18.080 Signs.—~~

~~Signs within the R-C Residential Conservation District shall be regulated in conformance with the provisions of Chapter 27.69.~~

~~27.18.090 Height and Area Regulations.—~~

~~(a) The maximum height and minimum lot requirements within the R-C Residential Conservation District shall be those contained in the underlying zoning district, except as modified by this chapter and by the neighborhood design standards.—~~

~~(b) A minimum amount of usable, accessible open space must be provided for each residential building. This requirement shall be as follows: one hundred square feet for the first dwelling unit; fifty square feet for each additional dwelling unit.—~~

~~(1) The required rear yard may be counted toward the fulfillment of said open space requirement. Required front and side yards may not be counted, except for unenclosed porches which project into the required front yard a distance not less than six feet and not exceeding ten feet as permitted in Section 27.71.100;—~~

~~(2) Parking spaces and land occupied by any building or structure may not be counted toward fulfillment of this open space requirement, except for front porches as in (b)(1) above;—~~

~~(3) Required open space may be provided on a rooftop provided that the roof is designed and surfaced in such a manner that it may be developed with areas of planting, open space, recreation, and other uses that are consistent with similar uses in ground level rear yards for dwellings. Such rooftop areas may not be occupied by structures such as vents, exhaust intakes, or other mechanical devices, except where they do not interfere with the usable nature of the open space;—~~

~~(4) The depth to width ratio of any area used to fulfill the open space requirements may not exceed three to one, if the smallest dimension of the open space is twelve feet or less.—~~

~~(c) Accessory buildings which are attached to or not located more than six feet from the main structure shall be considered a part of the main structure and shall comply with the height, front, side, and rear yard requirements of the main building. Accessory buildings not a part of the main structure may be located in the required rear yard, but such accessory buildings may not occupy more than forty percent of the required rear yard and shall not be closer than two feet to any side or rear lot line nor more than fifteen feet in height. Accessory buildings not a part of the main structure, if located not less than sixty feet from the front lot line, may extend into the required side yard though not closer than two feet to the side lot line. A garage which is entered from an alley shall not be located closer than ten feet to the alley line.—~~

~~(d) Where a lot of record as of November 2, 1953, has less area or width or both less area and width than herein required and its boundary lines along their entire length abutted lands under other ownership~~

on November 2, 1953, and have not since been changed, the lot may be used for a single family dwelling, two family dwelling, or for any nondwelling use permitted in this chapter.

(e) ~~The required side yard shall be five feet, regardless of the height of the building, provided it does not have any entrances on portions of the building facing the side lot line.~~

Section 3. That Section 27.19.080 of the Lincoln Municipal Code be amended to read as follows:

27.19.080 Height and Area Regulations.

The maximum height and minimum lot requirements within the R-5 Residential District shall be as follows:

(a) General requirements:

Table 27.19.080(a)						
	Lot Area (Sq. ft.)	Avg. Lot Width	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
Dwelling, single- family	5,000	50'	25'	5'	*	35'
Dwelling, two-family	2,500 per family	25' per family	25'	5' or 0' on party wall	*	35'
Townhouses	2,500 per family	20' per family	20'	10' or 0' on party wall	*	35'
Dwelling, Multiple:						
Dwelling, Multiple	1,500 per unit	50'	20'	7' or 10' if over 20' in height	*	35'
Lots containing 14,000 sq. ft. or less						
More than 14,000 sq. ft. but less than 21,000 sq. ft.	1,300 per unit	100'	20'	7' or 10' if over 20' in height	±	35'
21,000 sq. ft. or more	1,100 per unit	150'	20'	7' or 10' if over 20' in height	±	35'
Other permitted uses	5,000	50'	20'	5'	*	35'

* Smaller of 30' or 20% of depth.

(b) There shall be a required front yard on each street side of a double-frontage lot.

(c) There shall be a required front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record on November 2, 1953, need not be reduced to less than twenty-eight feet except where necessary to provide a required side yard of not less than five feet in place of one of the required

front yards. Where corner lots are separated by a common rear lot line, the minimum required yard shall be ten feet on the side along the street adjacent to both corner lots.

(d) Open space requirements for residential use: A minimum amount of usable and accessible open space must be provided for each residential use. This requirement shall be as follows:

125 square feet for the first dwelling unit;

~~80 square feet per unit for the next four dwelling units;~~

~~25 square feet per unit for the next four dwelling units;~~

20 80 feet per unit for each additional dwelling unit beyond ~~nine~~ one.

This open space requirement may be met in the following manner:

(1) The required rear yard may be counted; however, the required front and side yards may not be counted toward the fulfillment of said open space requirement; except for ground level or first floor level porches, ~~balconies~~, patios, and terraces as permitted in Sections 27.71.100 and 27.71.110;

(2) Parking spaces, and land occupied by any building or structure may not be counted toward fulfillment of this open space requirement;

(3) ~~Required open space may be provided either on a balcony four or more feet in depth or on a rooftop, provided that the roof is designed and surfaced in such a manner that it may be developed with areas of planting, open space, recreation and other uses that are consistent with similar uses in ground level side and rear yards for dwellings. Such rooftop areas may not be occupied by structures such as vents, exhaust intakes, or other mechanical devices, except where they do not interfere with the usable nature of the open space;~~

~~(4)~~ The depth-to-width ratio of any area used to fulfill the open space requirement may not exceed three to one, if the smallest dimension of the open space is twelve feet or less.

(e) Accessory buildings which are attached to or not located more than six feet from the main structure shall be considered a part of the main structure and shall comply with the height, front, side, and rear yard requirements of the main building. Accessory buildings not a part of the main structure may be located in the required rear yard, but such accessory buildings may not occupy more than forty percent of the required rear yard and shall not be nearer than two feet to any side or rear lot line, nor more than fifteen feet in height. Accessory buildings not a part of the main structure, if located not less than sixty feet from the front lot line, may extend into the required side yard though not nearer than two feet to the side lot line. A garage which is entered from an alley shall not be located closer than ten feet to the alley line.

(f) Where a lot of record as of November 2, 1953, has less area or width or both less area and width than herein required and its boundary lines along their entire length abutted lands under other ownership on November 2, 1953, and have not since been changed, the lot may be used for a single-family dwelling, two-family dwelling, or for any nondwelling use permitted in this chapter.

Section 4. That Chapter 27.19 of the Lincoln Municipal Code be amended by adding a new section numbered 27.19.090 to read as follows:

27.19.090 **Neighborhood Design Standards.**

Each application for a building permit for new construction of a principal building within this district shall comply with the neighborhood design standards.

Section 5. That Section 27.21.080 of the Lincoln Municipal Code be amended to read as follows:

27.21.080 **Height and Area Regulations.**

The maximum height and minimum lot requirements within the R-6 Residential District shall be as follows:

- (a) General requirements:

Table 27.21.080(a)						
	Lot Area (Sq. ft.)	Avg. Lot Width	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
Dwelling, single- family	4,000	50'	20'	5'	*	35'
Dwelling, two-family	2,500 per family	25' per family	20'	5' or 0' on party wall	*	35'
Townhouses	2,500 per family	20' per family	20'	5' or 0' on party wall	*	35'
Dwelling, Multiple:						
<u>Dwelling, Multiple</u> Lots containing 14,000 sq.-ft. or less	1,100 per unit	50'	20'	7' or 10' if over 20' in height	*	35'
More than 14,000 sq.-ft. but less than 21,000 sq.-ft.	900 per unit	100'	20'	7' or 10' if over 20' in height	*	45'**
21,000 sq.-ft. or more	700 per unit	150'	20'	Total 25', min. 8' per side	*	45'**
Other permitted uses	4,000	50'	20'	5'	*	35'
* Smaller of 30' or 20% of depth.						
** Over 35' in height, add one foot to the required side and rear yards for each additional two feet of height.						

(b) There shall be a required front yard on each street side of a double-frontage lot.

(c) There shall be a required front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record on November 2, 1953, need not be reduced to less than twenty-eight feet except where necessary to provide a required side yard of not less than five feet in place of one of the required front yards. Where corner lots are separated by a common rear lot line, the minimum required yard shall be ten feet on the side along the street adjacent to both corner lots.

(d) Balconies may be provided in the required side yard but not closer than seven feet from the side lot line.

(e) Open space requirements for residential use: A minimum amount of usable and accessible open space must be provided for each residential use. This requirement shall be as follows:

125 square feet for the first dwelling unit;

~~80 square feet per unit for the next four dwelling units;~~

~~25 square feet per unit for the next four dwelling units;~~

~~20~~ 80 square feet per unit for each additional dwelling unit beyond ~~nine~~ one.

This open space requirement may be met in the following manner:

(1) The required rear yard may be counted; however, the required front and side yards may not be counted toward fulfillment of said open space requirement except as follows:

(i) Ground level or first floor level Porches, ~~balconies~~, patios, and terraces as permitted in this chapter and in Sections 27.71.100 and 27.71.110;

(ii) The required front yard and side yard may be counted where the distance between the main building and ~~the side~~ said lot line exceeds the required ~~side~~ yard by more than seven feet.

(2) Parking spaces, and land occupied by any building or structure may not be counted toward fulfillment of this open space requirement.

~~(3) Required open space may be provided either on a balcony four or more feet in depth or on a rooftop, provided that the roof is designed and surfaced in such a manner that it may be developed with areas of planting, open space, recreation, and other uses that are consistent with similar uses in ground level side and rear yards for dwellings. Such rooftop areas may not be occupied by structures, such as vents, exhaust intakes, or other mechanical devices, except where they do not interfere with the usable nature of the open space.~~

~~(4)~~ The depth-to-width ratio of any area used to fulfill the open space requirement may not exceed three to one, if the smallest dimension of the open space is twelve feet or less.

(f) Accessory buildings which are attached to or not located more than six feet from the main structure shall be considered a part of the main structure and shall comply with the height, front, side, and rear yard requirements of the main building. Accessory buildings not a part of the main structure may be located in the required rear yard but such accessory buildings may not occupy more than forty percent of the required rear yard and shall not be nearer than two feet to any side or rear lot line, nor more than fifteen feet in height. Accessory buildings not a part of the main structure, if located not less than sixty feet from the front lot line, may extend into the required side yard though not nearer than two feet to the side lot line. A garage which is entered from an alley shall not be located closer than ten feet to the alley line.

(g) Where a lot of record as of November 2, 1953, has less area or width or both less area and width than herein required and its boundary lines along their entire length abutted lands under other ownership on November 2, 1953, and have not since been changed, the lot may be used for a single-family dwelling, two-family dwelling, or for any nondwelling use permitted in this chapter.

~~(h) —Where, on the effective date of this title, a lot exists which meets all of the following conditions, the lot density may be calculated as if the lot contained more than 14,000 square feet, but less than 21,000 square feet as provided in this chapter:~~

- (1) ~~It has a minimum area of 7,100 square feet;~~
- (2) ~~It is abutted on both side lot lines by lots occupied by multiple dwellings;~~
- (3) ~~Each of the adjoining multiples contain six or more units.~~

Section 6. That Chapter 27.21 of the Lincoln Municipal Code be amended by adding a new section numbered 27.21.090 to read as follows:

27.21.090 Neighborhood Design Standards.

Each application for a building permit for new construction of a principal building within this district shall comply with the neighborhood design standards.

Section 7. That Section 27.23.080 of the Lincoln Municipal Code be amended to read as follows:

27.23.080 Height and Area Regulations.

The maximum height and minimum lot requirements within the R-7 Residential District shall be as follows:

(a) General requirements:

Table 27.23.080(a)						
	Lot Area (Sq. ft.)	Avg. Lot Width	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
Dwelling, single- family	4,000	50'	20'	5'	*	35'
Dwelling, two-family	2,000 per family	25' per family	20'	5' or 0' on party wall	*	35'
Townhouses	2,000 per family	20' per family	20'	5' or 0' on party wall	*	35'
Dwelling, Multiple:						
<u>Dwelling, Multiple</u>	700 per unit	50'	20'	Total 15', (min. 7' per side)	*	45'***
Lots containing 14,000 sq. ft. or less						
More than 14,000 sq. ft. but less than 21,000 sq. ft.	600 per unit	100'	20'	Total 25', (min. 10' per side)	*	50'***
21,000 sq. ft. or more	550 per unit	150'	20'	Total 30', (min. 10' per side)	*	75'***
Other permitted uses	4,000	50'	20'	5'	*	35'

* Smaller of 30' or 20% of depth.

** Over 35' in height, add one foot to the required side and rear yards for each additional two feet of height.

(b) There shall be a required front yard on each street side of a double frontage lot.

(c) There shall be a required front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record on November 2, 1953, need not be reduced to less than twenty-eight feet except where necessary to provide a required side yard of not less than five feet in place of one of the required front yards. Where corner lots are separated by a common rear lot line, the minimum required yard shall be ten feet on the side along the street adjacent to both corner lots.

(d) Balconies may be provided in the required side yard but not closer than seven feet from the side lot line.

(e) Open space requirements for residential use: A minimum amount of usable and accessible open space must be provided for each residential use. This requirement shall be as follows:

125 square feet for the first dwelling unit;

~~80 square feet per unit for the next four dwelling units;~~

~~25 square feet per unit for the next four dwelling units;~~

~~20~~ 80 square feet per unit for each additional dwelling unit beyond ~~nine~~ one.

This open space requirement may be met in the following manner:

(1) The required rear yard may be counted; however, the required front and side yards may not be counted toward fulfillment of said open space requirement except as follows:

(i) Ground level or first floor level Porches, ~~balconies~~, patios, and terraces as permitted in this chapter and in Sections 27.71.100 and 27.71.110;

(ii) The required front yard and side yard may be counted where the distance between the main building and ~~the side~~ said lot line exceeds the required side yard ~~by more than seven feet~~.

(2) Parking spaces and land occupied by any building or structure may not be counted toward fulfillment of this open space requirement.

(3) ~~Required open space may be provided either on a balcony four or more feet in depth or on a rooftop, provided that the roof is designed and surfaced in such a manner that it may be developed with areas of planting, open space, recreational and other uses that are consistent with similar uses in ground level side and rear yards for dwellings. Such rooftop areas may not be occupied by structures such as vents, exhaust intakes, or other mechanical devices, except where they do not interfere with the usable nature of the open space.~~

~~(4)~~ The depth-to-width ratio of any area used to fulfill the open space requirement may not exceed three to one, if the smallest dimension of the open space is twelve feet or less.

(f) Accessory buildings which are attached to or not located more than six feet from the main structure shall be considered a part of the main structure and shall comply with the height, front, side, and rear yard requirements of the main building. Accessory buildings not a part of the main structure may be located in the required rear yard but such accessory buildings may not occupy more than thirty percent of the required rear yard and shall not be nearer than two feet to any side or rear lot line, nor more than fifteen feet in height. Accessory buildings not a part of the main structure, if located not less than sixty feet from the front lot line, may extend into the required side yard though not nearer than two feet to the side lot line. A garage which is entered from an alley shall not be located closer than ten feet to the alley line.

(g) Where a lot of record as of November 2, 1953, has less area or width or both less area and width than herein required and its boundary lines along their entire length abutted lands under other ownership on November 2, 1953, and have not since been changed, the lot may be used for a single-family dwelling, two-family dwelling, or for any nondwelling use permitted in this chapter.

~~(h) Where, on the effective date of this title, a lot exists which meets all of the following conditions, the lot density may be calculated as if the lot contained more than 14,000 square feet, but less than 21,000 square feet as provided in this chapter:~~

- ~~(1) It has a minimum area of 7,100 square feet;~~
- ~~(2) It is abutted on both side lot lines by lots occupied by multiple dwellings;~~
- ~~(3) Each of the adjoining multiples contain nine or more units.~~

Section 8. That Chapter 27.23 of the Lincoln Municipal Code be amended by adding a new section numbered 27.23.090 to read as follows:

27.23.090 Neighborhood Design Standards.

Each application for a building permit for new construction of a principal building within this district shall comply with the neighborhood design standards.

Section 9. That Section 27.24.080 of the Lincoln Municipal Code be amended to read as follows:

27.24.080 Height and Area Regulations.

The maximum height and minimum lot requirements within the R-8 Residential District shall be as follows:

- (a) General requirements:

Table 27.24.080(a)						
	Lot Area (Sq. ft.)	Avg. Lot Width	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
Dwelling, single- family	4,000	50'	10'	10'	20'	35'

Dwelling, two-family	2,000 per family	25' per family	10'	10' or 0' on party wall	20'	35'
Townhouses	2,000 per family	20' per family	10'	10' or 0' on party wall	20'	35'
Dwelling, Multiple or apartment hotel	250 <u>550</u> per unit	50'	10'	10'*	20'	450 <u>75'</u>
Other permitted uses	4,000	50'	10'	10'	20'	35'
* For a building exceeding 45' in height, the sum total of the two required side yards shall not be less than 30', and neither side yard shall be less than 10'.						

(b) There shall be a required front yard on each street side of a double frontage lot.

(c) There shall be a required front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record on November 2, 1953, need not be reduced to less than twenty-eight feet except where necessary to provide a required side yard of not less than five feet in place of one of the required front yards.

(d) Balconies may be provided in the required side yard but not closer than seven feet to the side lot line.

(e) Open space requirements for residential use: A minimum amount of usable and accessible open space must be provided for each residential use. This requirement shall be as follows:

~~125 square feet for the first dwelling unit;~~

~~80 square feet per unit for the next four dwelling units;~~

~~25 square feet per unit for the next four dwelling units;~~

~~20~~ 80 square feet per unit for each additional dwelling unit beyond ~~nine~~ one.

This open space requirement may be met in the following manner:

(1) The required rear yard may be counted; however, the required front and side yards may not be counted toward the fulfillment of said open space requirement, except as follows:

(i) Ground level or first floor Porches, ~~balconies~~, patios, and terraces as permitted in this chapter and in Sections 27.71.100 and 27.71.110;

(ii) The required front yard and side yard may be counted where the distance between the main building and ~~the side~~ said lot line exceeds the required side yard by more than seven feet.

(2) Parking spaces and land occupied by any building or structure may not be counted toward fulfillment of this open space requirement;

(3) ~~Required open space may be provided either on a balcony four or more feet in depth or on a rooftop, provided that the roof is designed and surfaced in such a manner that it may be developed with areas of planting, open space, recreation and other uses that are consistent with similar uses in ground level and rear yards for dwellings. Such rooftop areas may not be occupied by structures such as vents, exhaust intakes, or other mechanical devices, except where they do not interfere with the usable nature of the open space;~~

(4) The depth-to-width ratio of any area used to fulfill the open space requirement may not exceed three to one, if the smallest dimension of the open space is twelve feet or less.

(f) Accessory buildings which are attached to or located not more than six feet from the main structure shall be considered a part of the main structure and shall comply with the height and front, side, and rear yard requirements of the main structure. Accessory buildings not a part of the main structure may be located in any required rear yard, but such accessory buildings may not occupy more than thirty percent of the required rear yard, and shall not be nearer than two feet to any side or rear lot line, nor more than fifteen feet in height. Accessory buildings not a part of the main structure, if located not less than sixty feet from the front lot line, may extend into the required side yard though not nearer than two feet to the side lot line. A garage which is entered from an alley shall not be located closer than ten feet to the alley line.

(g) Where a lot of record as of November 2, 1953, has less area or width or both less area and width than herein required and its boundary lines along their entire length abutted lands under other ownership on November 2, 1953, and have not since been changed, the lot may be used for a single-family dwelling, two-family dwelling, or for any nondwelling use permitted in this chapter.

Section 10. That Chapter 27.24 of the Lincoln Municipal Code be amended by adding a new section numbered 27.24.090 to read as follows:

27.24.090 Neighborhood Design Standards.

Each application for a building permit for new construction of a principal building within this district shall comply with the neighborhood design standards.

Section 11. That Chapter 27.71 of the Lincoln Municipal Code be amended by adding a new section numbered 27.71.150 to read as follows:

27.71.150 Projection of Building Facades into the Required Front Yard in the R-4, R-5, R-6, R-7, and R-8 Districts in Areas of the City Annexed Prior to January 31, 1949.

The following provisions shall apply to the R-4, R-5, R-6, R-7 and R-8 districts in areas of the City annexed prior to January 31, 1949. In order to encourage variation of the front elevation, up to twenty-five percent of the length of the principal street facade of a building may project up to two feet into the required front yard. Notwithstanding the above, a porch may not project into a required front yard beyond that otherwise allowed by Section 27.71.100 or Section 27.71.110.

Section 12. That Sections 27.19.080, 27.21.080, 27.23.080, and 27.24.080 of the Lincoln Municipal Code as hitherto existing be and the same is hereby repealed.

Section 13. That this ordinance shall take effect and be in force from and after its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant